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*Attorneys for Plaintiff and the Putative Class*

**UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA**

BEACH DISTRICT SURGERY  
CENTER, L.P., Individually and on  
Behalf of All Others Similarly  
Situated,

Plaintiff,

v.

CIGNA HEALTH AND LIFE INS.  
CO., and DOES 1-10, inclusive,

Defendants.

Case No. 2:22-cv-03931-MCS-JPR

**NOTICE OF SETTLEMENT AND  
JOINT STIPULATION REQUESTING  
DEADLINE TO FILE DISMISSAL**

1 Plaintiff Beach District Surgery Center, L.P. (“Plaintiff”) and Defendant  
2 Cigna Health and Life Ins. Co. (“Defendant”) (collectively, the “Parties”) notify the  
3 Court that they have reached a settlement in principle and stipulate to the following:

4 WHEREAS, on June 8, 2022, Plaintiff filed the Complaint in this action;

5 WHEREAS, on December 12, 2022, the Court issued an Order granting  
6 Defendant’s motion to dismiss the Complaint in its entirety, and granting Plaintiff  
7 leave to amend the Complaint within 14 days;

8 WHEREAS, on December 20, 2022, the Court granted, as modified, the  
9 parties’ joint stipulation continuing the deadline to amend the complaint in order to  
10 facilitate settlement discussions, and set January 17, 2023 as the deadline;

11 WHEREAS, the parties have reached a settlement in principle, and are in the  
12 process of drafting the settlement agreement;

13 WHEREAS, the parties believe that they can finalize and execute the  
14 settlement agreement within a week;

15 WHEREAS, the Parties agree, subject to the Court’s approval, to set January  
16 24, 2023 as the deadline to file a dismissal of the case pursuant to the settlement  
17 agreement;

18 IT IS HEREBY STIPULATED AND AGREED, by and between undersigned  
19 counsel for the parties, and subject to the Court’s approval, that:

20 1. The deadline to file a dismissal of the case pursuant to the settlement  
21 agreement is January 24, 2023.

22 **SO STIPULATED.**

1 Dated: January 17, 2023

Respectfully submitted,

2 **GLANCY PRONGAY & MURRAY LLP**

3 By: /s/Jonathan M. Rotter

4 Jonathan M. Rotter

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16 *Attorneys for Plaintiff and the Putative Class*

17 Dated: January 17, 2023

**MCDERMOTT WILL AND EMERY**

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\*admitted *pro hac vice*

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Life Ins. Co.*

**ATTESTATION**

I, Jonathan M. Rotter, am the ECF user whose identification and password are being used to file this document. In compliance with Local Rule 5-4.3.4, I hereby attest that all other signatories listed, and on whose behalf the filing is submitted, concur in the filing's content and have authorized the filing.

Dated: January 17, 2023

s/ Jonathan M. Rotter  
Jonathan M. Rotter

**PROOF OF SERVICE BY ELECTRONIC POSTING**

I, the undersigned say:

I am not a party to the above case and am over eighteen years old. On January 17, 2023, I served true and correct copies of the foregoing document, by posting the document electronically to the ECF website of the United States District Court for the Central District of California, for receipt electronically by the parties listed on the Court's Service List.

I affirm under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on January 17, 2023, at Los Angeles, California.

s/ Jonathan M. Rotter

Jonathan M. Rotter